

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
July 20, 2017

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**STUDY SESSION**

*Present: Chair Heather Barnum, Commissioners Connie Deianni, Bret Gallacher, Kent Hinckley, Alex Leeman, and Rebecca Wayment, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson.*

**Item #3. Marlene Kay – Requesting approval of a metes & bounds subdivision through special exception**

**Eric Anderson** showed the applicant's property on a vicinity map; the applicant's western part of property is undeveloped. The applicant is seeking to build a single-family home on the undeveloped portion of her lot, which is allowed if granted special exception by the Planning Commission. **Eric Anderson** said staff is in support of this request. He said the property is zoned R-4, so with her lot size, she would be able to build an attached building of up to 3 additional units to her current single-family home, or she could demolish the current home and build a 4-plex. The applicant does not want to build either option, but she would like to build a second single-family home to the west. **Eric Anderson** said the most efficient way to accomplish this is through metes and bounds and a special exception. He reviewed the Zoning Ordinance as it relates to special exceptions. He also explained a special exception is significantly easier than a PUD (Planned Unit Development); a PUD requires the establishment of an HOA and CC&Rs and a waiver for the open space. Staff felt requiring the applicant to go the PUD route would be excessive for two single-family homes. Staff also said the terms of the special exception were reviewed with the City Attorney. The City Attorney was comfortable moving forward with this application as a special exception. The City Attorney said a special exception does not have the same standing as a conditional use and it is not covered by The Land Use, Development, and Management Act (LUDMA).

**Eric Anderson** said the applicant would like to put the existing bungalow on the historical register so it cannot be demolished in the future. He feels the second single-family home would also complete the missing gap in the street face to make the area a more complete block. **Heather Barnum** asked if the applicant wants the new single-family home to look historic so it would fit the historical feel of the area. **Eric Anderson** said condition #2 to the proposed motion was included, which requires the new home to follow the OTR design guidelines to ensure the historic character of the area, despite the property not falling in the actual OTR zone. **Connie Deianni** asked if the applicant had a buyer for the new proposed single-family home. **David Petersen** said he does not think the applicant has a buyer at this time. **Eric Anderson** also said a few additional suggestions for conditions to the motion were made by a neighbor to the applicant. It was suggested that a curb cut be done on State Street, which would have to be worked out with UDOT. The other suggestion was that the applicant shall preserve the mature trees on State Street.

**Item #4. Ken Stuart / Chartwell Capital Partners – Requesting a recommendation for approval of a development agreement, and project master plan related thereto**

**David Petersen** said this item has been previously discussed. Chartwell Capital owns 88 acres of the 260+ acres of land north of Station Park. Chartwell would like the ability to propose residential housing in a particular area of their property; however, the current zone does not allow for any

residential use. Rezoning an area could mean the entire area gets turned into residential and amending the zone text could also allow residential property to be approved throughout the rest of property. The application before the Commission is a development agreement to give the developer the ability to ask for residential. **David Petersen** said the City still has 100% discretion to approve or deny any future requests. **Eric Anderson** said the developer and the City are working together to get to a point to approve the actual project, but this would be an intermediary step the developer has to go through in the approval process. It would require the applicant to obtain a development agreement prior to receiving Project Master Plan approval for property under 25 acres, which is not typically allowed as per Chapter 18. **Eric Anderson** said development agreements are pretty simple, but the agreement allows the developer to take “smaller bites of the apple” when they are ready to move forward on development.

**Heather Barnum** asked if taking the development in smaller pieces might encourage the type of high-density housing that is not currently even able to be considered. **David Petersen** said it would be consistent with the Small Area Master Plan that has already been approved. **Heather Barnum** said the City is already seeing negative effects from high-density housing, like increased traffic, parking, distaste from the community, etc. She said the community always comes before the Commission stating they hate high-density housing. **David Petersen** said when communities are looked at globally, in order to have a walkable community, there needs to be a certain critical mass. He said the City is trying to create enough critical mass to make up a difference in air quality, employees staying in Davis County, upping the property tax base, increasing traffic to Station Park during day-time hours, etc. He said it takes smart planning to decrease urban sprawl.

**Rebecca Wayment** asked if the Commission would be considered arbitrary and capricious if they denied something they did not like, but it was something in line with the Small Area Master Plan. **Eric Anderson** said the General Plan, and all other plans adopted as part of it, are guiding documents. The Commission can still approve or deny any application as it relates to the master plan for property under 25 acres. **Alex Leeman** asked if commission members are not ok with high density housing or with the item being considered tonight. **Heather Barnum** said she is ok with what is before the Commission, but has concerns that approving this item may also say the Commission is ok with the residential use in this area. **Alex Leeman** said higher-density housing would be consistent with the Master Plan; however, the applicant is not entitled for approval. **Kent Hinckley** asked if it was capricious to approve the Master Plan, and potentially deny the applicant’s application even if it’s consistent with the Master Plan. **Alex Leeman** said the word capricious has legal meaning; it’s saying there is not logical basis whatsoever. **Eric Anderson** pointed out that the area being proposed for higher-density housing by the applicant won’t be single-family homes. He said it will be a mixed-use area. **Rebecca Wayment** expressed concern on how to keep high-density housing from creeping into other areas within the City. **David Petersen** said the City and the developer realized the merit of mixed-use areas. He said typical office parks become ghost towns after 5 p.m. He said what is being proposed will be a vibrant office park, with some residential. He said right now the City is in the driver seat with the approval process that is being proposed. **Kent Hinckley** said an HOA President sent an email from Quail Crossing regarding how property values will be affected. **Alex Leeman** said he thought the HOA President was more concerned about traffic.

**Item #5. David Tyson / EMA Architects – Requesting special exception approval for a drive-thru as part of a Mountain America Credit Union**

**David Petersen** said drive-thru windows are now allowed as special exceptions, except by approval of the Planning Commission. **David Petersen** said this item will be further discussed in the meeting.

## **REGULAR SESSION**

***Present:** Chair Heather Barnum, Commissioners Connie Deianni, Bret Gallacher, Kent Hinckley, Alex Leeman, and Rebecca Wayment, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson.*

### **Item #1. Minutes**

**Alex Leeman** made a motion to approve the Minutes from the June 22, 2017 Planning Commission meeting. **Bret Gallacher** seconded the motion, which was unanimously approved.

### **Item #2. City Council Report**

Staff gave a report from the July 18, 2017 City Council meeting. **Eric Anderson** said City Council approved the Zoning Ordinance Amendment to Section 140, as per the recommendation from the Planning Commission. **David Petersen** said the 90 W. Street Dedication Plat was also approved. He said the County Map had that there was a road set for that property; however, there was not any dedicated ROW for it. He said this item resolved the concern that was there. **David Petersen** also said the City Council denied the boundary adjustment for Lowell Johnson, as there were concerns with the building placement of the proposed single-family homes.

## **SUBDIVISION**

### **Item #3. Marlene Kay (Public Hearing) – Applicant is requesting approval of a metes & bounds subdivision through special exception for .42 acres of property located at 10 S. Main in an R-4 (Multi Family Residential) zone. (5-11-17)**

**Eric Anderson** said showed the applicant's home on the vicinity map. He said the applicant is wanting to subdivide her property, and build a single-family home on the west side of the property. Currently, the property is zoned R-4, which allows a property owner to build a 4-plex on the property if the lot is at least 18,000 sq. ft. The applicant's lot size is 19,822 sq. ft., which means she would be able to build a 4-plex if she chose to do so. In the R-4 zone, to do a lot split, the minimum lot size is 10,000 sq. ft., which means the full lot has to be at least 20,000 sq. ft. The applicant is short 178 sq. ft. to qualify for a lot split. After reviewing the Zoning Ordinance, staff feels the applicant may qualify for a special exception. **Eric Anderson** read the terms of special exceptions, as found in the ordinance. Special exceptions allow for deviations from lot widths and minimum lot sizes. Since the deviation is for 178 sq. ft., and approximately 10 linear feet of frontage, staff is recommending approval of the special exception. **Eric Anderson** also said metes and bounds subdivision is the easiest way to do a lot split, so if the special exception is granted, then the metes and bounds is also allowed to go forward. He said staff feels splitting the lot for two single-family homes is more favorable than the alternative of a 4-plex.

**Rebecca Wayment** asked if there will be a concern with setbacks on the lot since special exceptions only allow for a deviation from lot width and lot size. **Kent Hinckley** asked if the applicant would have to return to the Planning Commission if setbacks do not meet the standards. **Eric Anderson** said setbacks may be an issue; however, the applicant may still be able to meet the setback requirements. If the setbacks cannot be met, the applicant can apply for a variance or return to the Planning Commission for a special exception. **Heather Barnum** asked if that needed to be stated as a

condition to the motion. **David Petersen** suggested waiting until the actual proposal is received, as this application is voting on if the special exception can take place. He also said the Ordinance does allow some discretion with staff regarding setbacks.

**Marlene Kay**, 10 S. Main St., said she feels staff has clearly laid out what she is requesting to do. She said she hopes to split her lot, build a secondary single-family home, and move into it. She would plan to sell the original home. She said at this point she is merely asking the question if her request is a possibility, but that she feels splitting the lot for two single-family homes is more reasonable than having multi-family housing on the corner of downtown Farmington.

**Rebecca Wayment** said the applicant mentioned selling the bungalow home with the hope to move into the proposed single-family home. She asked if the proposed single-family home would mirror the homes that we see in the older area of Farmington. **Marlene Kay** said she has always lived in historic neighborhoods, and loves it. She will work hard to ensure the new home maintains the historic nature of the area.

**Heather Barnum** said a question came up in the Study Session regarding the preservation of trees on the property. She asked the applicant if she will want to retain the trees. **Marlene Kay** said there are some trees in the yard that will have to come down, and possibly another in the front to make a place for a driveway; however, there are questions to be raised on how to do that.

**Heather Barnum opened the public hearing at 7:20 p.m.**

**David Livingston**, 139 N. Main St., said he lives just down the street from the applicant. He asked the Commission if they have a position on whether or not they would like higher or lower density in the historic area of Farmington. He said he feels it makes sense to keep the density lower, so he is in favor of splitting the lot for two single-family homes in lieu of the potential for a 4-plex.

**Tami Thomas**, 65 W. State St., said she owns the white house that is just behind the applicant's property. She said she is in favor of splitting the lot for two single-family homes.

**Heather Barnum closed the public hearing at 7:23 p.m.**

**Connie Deianni** said a proposed curb cut was suggested during the Study Session; she wondered if the Commission should suggest a place for the curb cut. **Alex Leeman** said the location of the curb cut most likely would be dictated by UDOT. **Heather Barnum** suggested the applicant work with UDOT to see if there is a location for the curb cut where trees can still be preserved.

**Alex Leeman** said he has some additions to the findings. He said the Ordinance for special exceptions states that "special exceptions can be approved if the Commission finds that it is not detrimental to the health, safety, and general welfare, it does not create unreasonable traffic hazards, and it is located on a lot or parcel of sufficient size to accommodate the exception." He said that he feels all three of those requirements are met in this circumstance; he suggested adding the requirements as findings to the motion.

**Alex Leeman** asked if the tree plan for the downtown area requires that a new tree be added if a tree has to be removed. **Bret Gallacher** also asked if the resident has to present their plan prior to removing the tree. **David Petersen** said yes, a new tree has to be added if one is removed, and yes, the resident has to present the plan prior to the tree's removal. He said a few Sycamore trees have had to be replaced over the years, and that the Green Ash trees have limited life and don't last as long as Sycamore trees.

**Motion:**

**Kent Hinckley** made a motion that the Planning Commission approve the metes and bounds subdivision and special exception related thereto subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The existing home shall be placed on the City's Historic Landmarks Register in accordance with Chapter 39 of the Zoning Ordinance;
2. The design for the new home shall follow "new construction design guidelines" for the OTR zone, as found in Section 11-17-070;
3. Any deviations from Chapter 13 of the Zoning Ordinance beyond the minimum lot area and lot width requirements shall come before the Planning Commission as a Special Exception;
4. The applicant will receive UDOT permission for a curb cut on State Street;
5. The applicant will preserve the trees in accordance with the State Street Tree Ordinance.

**Rebecca Wayment** seconded the motion, which was unanimously approved.

**Findings:**

1. The property is currently zoned for multi-family, and could fit a 4-plex on the parcel. An additional single family home is far preferable to an apartment or even an additional attached unit in this area.
2. The western portion of the property is currently open, and creates a gap in the street face, by building a single family home on this portion of the property, the proposed metes & bounds subdivision will fill in this gap.
3. Approving the special exception will allow for the preservation of an historic home, and preserve the character of the neighborhood.
4. The special exception is for 178 s.f. of area, and 10 lineal feet; both of these deviations are minor and will be consistent with other homes in the neighborhood.
5. The special exceptions is not detrimental to the health, safety, and general welfare.
6. The special exception does not create unreasonable traffic hazards.
7. The special exception is located on a lot or parcel of sufficient size to accommodate the exception.

**PROJECT MASTER PLAN**

**Item #4. Ken Stuart / Chartwell Capital Partners (Public Hearing) – Applicant is requesting a recommendation for approval of a development agreement, and project master plan related thereto for approximately 88 acres of property located between Burke Lane and Shepard Lane, and the D&RG Trail and I-15 in an OMU (Office Mixed Use) zone. (PMP-3-17)**

**David Petersen** said Farmington City worked to build Station Park in the late 2000s, which has been a good thing for the community as far as tax base and revenue income. Prior to Station Park, the City had no idea something like Station Park could happen here in Farmington. A market study that took place in 2004 stated that retail would be a "home run" for the City, and it was right. The City Council's current objective is to provide a business park on the approximately 260 acres located north of Cabela's. He said the City is not looking to build the usual business park, but wants something with the unique flare like Station Park has in hopes of attracting the creative class that will provide the day-time

population for Station Park, while ensuring the City's property tax base. **David Petersen** said the business park will also help keep jobs here in Davis County.

**David Petersen** said in order to make the business park different, the City would like the area to be mixed-use, which will include some element of housing. He said a few current City Council members were around when the Garbett Homes project came in. It was a 129-acre commercial/non-residential project, with 35+ acres planned for residential. The developer could not get enough letters of intent and critical mass for non-residential uses, so the developer turned to Garbett Homes for help. He said almost immediately, the entire property was turned residential. **David Petersen** said there are concerns from the City Council that something similar may take place with current 260+ acres of property being considered, so the City Council wants to "stand tall" for office development. There is concern that if the door is opened for residential through a change in the zone text, the opportunity for a business park would be immediately lost. He said the same sentiments have been shared by neighboring cities, including North Salt Lake as once the property is improved for residential, employment opportunities don't come back.

**David Petersen** said in an effort to allow for a mixed-use aspect to the development by allowing some residential development into the project, without it taking over, the City devised a way through Section 140 of the Zoning Ordinance. In Section 140, a developer can apply for a deviation from the Ordinance to ask for uses, like residential, if they own 25 acres or more. He said by setting the minimum property size at 25 acres, the developer's request does not impact the whole 260+ acres.

**David Petersen** said the City has gone one-step further. Chartwell owns 88 acres of land, and has potentially proposed residential use within some of that property, which could be proposed in phases. The proposed residential area, however, is less than 25 acres. Staff is proposing the applicant seek approval of a Project Master Plan (PMP), like what has been done in Park Lane Commons. This allows the developer to ask for a deviation from the underlying standards of the zone for anything greater than 5 acres. Since the PMP approval is a legislative act, the Planning Commission and City Council have discretion on whether or not to approve it. **David Petersen** said if the applicant requested housing for 8-9 acres of land, but then returned and asked for another 15 acres, the City can deny the request. He said this allows the City to "stand tall" against the full area going completely residential.

**David Petersen** said the only thing that is being considered tonight is approving the development agreement that enables the developer to ask for smaller PMP approval. He also said as per Section 140, the developer attached a Project Master Plan (PMP) to the application as well. He said the attached PMP mirrors what was approved in the Small Area Master Plan.

**David Petersen** provided a little more information on the previously approved Small Area Master Plan. He said the City previously expressed their desire to build something unique for the 260+ acres, so Chartwell Capital hired UDA, a top design firm in Pittsburgh, and organized a planning charrette that include all 14 major property owners in the area and the City. The result of the charrette was a Small Area Master Plan for the 260+ acres, which was later adopted as part of the City's General Plan. He said the City's General Plan is a guiding document. He said it does not have to be followed; however, it is a good thing to approve things that are consistent with the General Plan because it maintains the City's overall vision.

**Heather Barnum** said that what has been proposed is clear, the City has given itself the ability to approve actual pieces of the development in lieu of rezoning the whole area with full discretion. She clarified that what is before the Commission tonight is approving or denying the developer's ability to ask for it. The Commission is not approving the actual change in the use itself. **David Petersen** agreed;

he said the City has not received an application for the development, but that the applicant is simply asking for the ability to ask for a residential component in their development plan.

**Rebecca Wayment** expressed concern that commercial could potentially stall, and the applicant could come before the governing body asking for a complete deviation of what the City voted on as the Master Plan for the area, just like the developer had to do with the Garbett Homes project. She asked if approving this item is opening the door for the governing body to have to look at the requests that come it. **David Petersen** said approving this item does not open the door down the road any more than the door is open to the developer now. He said at this time, a property owner can also apply for deviations in Section 140, rezoning the property, or amending the General Plan. He said the real question is what will the City Council vote on many years from now, which no one knows. **David Petersen** said he has watched City Council members in Farmington City, as well as other cities, try to bind the future City Council's decisions, but there is not a way to do so.

**Rebecca Wayment** asked if high-density housing applications keep coming before the City, and the City keeps denying the requests, is the City open to potential litigation. **David Petersen** said if there was a zone text amendment to allow residential in the OMU zone for the 260+ acres, then every application would be an administrative act and the City would be bound to approve it. He said the method the City is using is to keep every request a legislative act, which gives the City the opportunity to deny the requests. **David Petersen** said (hypothetically speaking) if an application was received for two office building, which is an allowed use in the OMU zone, and the office buildings meet all size and standard requirements, it would come before the Commission for approval. If the applicant requests a residential use consistent with the Sub-Area Master Plan through section 140, the Commission could do a "mini-rezone" of sorts just for the spot requested by the applicant, and no more unless requested and approved. **Heather Barnum** asked if there is additional public input involved if PMPs are submitted by the applicant. **David Petersen** said yes, adding additional steps means there is a more involved public process.

**Ken Stewart**, 1305 N. 700 W., Chartwell Capital Partners, said the charrette process they organized was to come up with a plan that was consistent with the General Plan, in line with property owners' preferences, as well as a plan that would fit the market. He said it does not make sense to put residential property along the future Shepard Lane interchange; he said doing so would not maximize revenue for the area and is not consistent with the OMU zone. He said the Shepard Lane interchange was discussed during the charrette. It was felt that putting townhomes between the current single-family homes and the proposed office buildings would be an appropriate buffer from residential to commercial uses. **Ken Stewart** said he recognizes the concern the governing bodies have regarding the property being used solely for residential; however, it was discussed during the charrette that the 260+ acres of property being looked at is similar in size to central Salt Lake City or central Ogden City. He said the area could not absorb 260+ acres of just office or retail space. He said there are natural barriers that will help with the overall development of the different proposed uses. **Ken Stewart** said there has been a lot of talk regarding the West Davis Corridor and the Shepard Lane interchange. He said there have been questions about how the WDC and the interchange will impact development. He said they do not have all of the answers at this time, but there are areas that will never have access from the freeway. He said the area north of Haight Creek is surrounded by residential and the creek with no other access and has limited visibility from the freeway; he said this area would never be able to serve commercial uses. He said this is an example of an area where they will apply for residential use. **Ken Stewart** said he is in total agreement with the City that there should be a formidable business park in this area; however, there are constraints on when the Shepard Lane interchange will come in. He said they would like to move forward in an organized, planned manner. He feels they have shown their willingness to do so by hiring what they believe is the best design firm in the world, "footing the bill" to the design company to organize the City and property owners, and have worked closely to ensure all are on board

with the City to develop this correctly. **Ken Stewart** said Chartwell Capital is not afraid to put money on the table to bring in tax revenue for the residents of the City. He said there are certain areas where they will apply for residential use; however, residential uses would not make sense for the rest of the property. He said he appreciates staff and the Commission, and is available for questions.

**Heather Barnum** asked if the applicant is clear on tonight's actual application. **Ken Stewart** said yes, he is here requesting that he can simply ask permission to build residential. He said he understands that he would then have to obtain permission by the Planning Commission and City Council, and go through the public process prior to approval for something like townhomes.

**Heather Barnum** asked what the maximum height is for a building. She asked if the height varies for different areas. She said she does not have any recollection of voting for anything over a 3-story building. **David Petersen** said he would look into it.

**Heather Barnum opened the public hearing at 7:54 p.m.**

**James Hansen**, 20 W. 2200 S., Kaysville, said that he has read over and understands the plan; however, he is one stakeholder (as a nearby property owner) that may have been neglected in the planning process for it. He described the rural nature of the property to the north, where he lives. He said he understands the application that is before the Commission tonight, but would like to be more active in the planning process as it moves forward.

**Kyle Stowell**, 1716 Burke Lane, said that he owns an acre of property that he bought many years ago because it felt "country," while still being near to the City. He said he has stood before the Planning Commission and City Council before with concerns of high-density housing coming in. He feels the City is moving away from the trees, the farms, and the gristmills. He feels there is so much high-density housing already within the City, he has concerns about bringing even more. He said he recognizes property owners have property rights, and that they should be able to exercise their rights, but he feels hiring a design company that specializes more in bedroom communities would be a better option. He said he appreciates the Commission listening, and that he recognizes that there may not be anything that can be done. He asked that the governing bodies remember those in the City that still have barns, horses, gardens, and other rural use properties.

**Brandon Forsberg**, 340 E. Shepard Lane, Kaysville, said the letter he received in the mail was the first he had heard about the development. He said he has a few questions regarding it. He said Shepard Lane already has a difficult traffic situation and there is always concerns about safety with it. He asked if a traffic study has been done in connection with this development. He also has concerns about home values if there is a ramp coming off of the development and onto Shepard Lane. He said he is not opposed to the development, but feels the City has a duty to protect current homeowners' loss of value on their properties. He said he also has concerns with architectural guidelines, and with the growing number of apartments, townhomes, and other high-density housing within the City. He said he echoes previous comments that he loved his area for its "country" feel in an urbanized area. He said he is not opposed to the development, but hopes it will be done in a method to keep the "country" feel. He also expressed concern that he and his neighbors have been fighting the "Legacy Extension" for the last 7-8 years, and asked that be taken into consideration.

**Steven Nielsen**, 2154 S. 225 E., Kaysville, said he lives by Haight Creek. He said his profession is architecture, so he appreciates all the planning that has gone on, but feels the community should have input also. He asked about the City's notification process for public hearings. He said when he has worked on similar projects, other cities take a radius around the property and send notifications to all property owners within that radius. He said he was not notified for this public hearing. He said he



recognizes this is the beginning step of this development, but asked that he get notified in the future. He feels having the community involved will help create a strong project that the entire community has ownership over.

**Heather Barnum closed the public hearing at 8:06 p.m.**

**Bret Gallacher** said the public will have many future opportunities to come and discuss specifics on this development. He asked staff to explain the City's notices on public hearings. **Eric Anderson** said the City uses GIS to draw a 300' mailing radius around the entire outline of the property. A letter notifying residents of the public hearing is then sent out to every property owner within the 300' radius of the property. If a resident lives within the 300' radius, a letter should have gone out. **David Petersen** said there are times when a resident says they did not receive a notice, so staff will check the mailing list only to find the resident is on the list. Staff is unsure why the resident did not receive the letter that would have been mailed. **Eric Anderson** said at times a property owner may have an incorrect PO Box listed with the county assessor's office or some other mailing address issues. There are times when letters are returned through the postal service, but it can happen after the public hearing took place. **Alex Leeman** asked if the "sandwich board" was placed on the property notifying the community of the public hearing. **Eric Anderson** said the property being considered is land-landlocked so there was no place to put the "sandwich board." **Alex Leeman** asked if another posting for a public hearing will go out when the developer applies for residential use on the property. **David Petersen** said yes, another mailing will be sent. He also said they considered putting a "sandwich board" on the DR&G Trail to help spread the word to the community regarding the public hearing.

**Eric Anderson** also clarified that those property owners included in the charrette were the ones within the Small Area Master Plan boundaries. **Heather Barnum** said that the developer has heard the public hearing and the voice from the residents that they would like to be more informed and included going forward. She hopes he will consider the residents' desires.

**David Petersen** said there were some comments regarding building elevations; however, it is too early in the process to know the elevations. When the City starts receiving the development applications, elevations will be shown.

**David Petersen** said there was a concern regarding if traffic studies have been completed. He said that is more of a question to be addressed during the development plan application. He said that information will be discussed later in the process.

**Heather Barnum** also suggested to residents if there are questions or concerns regarding plans from UDOT, including the previously mentioned "Legacy Extension," answers should be sought out directly from UDOT. She said she knows Shepard Lane is part of their intended projects. **David Petersen** said it was his understanding that Shepard Lane is at the top of UDOT's list for upcoming projects, which means it is a project that will receive funding. **Alex Leeman** clarified that the Shepard Lane project is an I-15 interchange. **Heather Barnum** added that UDOT has many layers of public comment. She urged the public to participate in the public comment.

**Rebecca Wayment** said that she appreciates the community coming out to express opinions; public input is very important in the process of considering applications. She asked that the residents continue to come and speak out as the development continues forward. She said the Commission shares similar sentiments, but that they also appreciate smart development. She said there are many areas of the current plan that commission members are not sure on; however, the item considered tonight allows the Commission the opportunity to consider each application on its own so that the

community's voice and input can be heard during each step so find the solution that fits the interest of all within the City.

***Motion:***

**Rebecca Wayment** made a motion that the Planning Commission recommend that the City Council approve the development agreement and project master plan related thereto, subject to all applicable Farmington City development standards and ordinances. **Connie Deianni** seconded the motion, which was unanimously approved.

**Findings for Approval:**

1. The development agreement does not grant vesting for the project, rather it allows for the developer to propose sub-PMPs for portions of their property that are less than 25 acres, which the Zoning Ordinance currently does not allow.
2. At the time when sub-PMPs are proposed, the City has a significant amount of discretion as PMPs are legislative decisions; this development agreement gives the City the opportunity to review those applications, which would otherwise not be allowed.
3. The proposed North Station Project Master Plan was completed through a design charrette involving unanimous stakeholder consensus.
4. The stakeholders included the majority of property owners within the project area, neighboring property owners to the project area, the City, the County, and Chartwell Capital.
5. The Planning Commission has held a public hearing on multiple recommendations from the North Station Project Master Plan, including removing the large footprint building provision, and amending the regulating plan and related block size, and the Planning Commission after review of the application has unanimously recommended that the City Council approve the requested modifications to Chapter 18 of the Zoning Ordinance.
6. The proposed North Station Development Agreement and Project Master Plan is consistent with the stated intent and purpose of the Farmington City General Plan and Zoning Ordinance for this district; including a fine grained mix of uses such as office, retail, and residential, an emphasis on bringing activity to the street and enhancing walkability, placing parking to the rear of buildings, creating public spaces and nodes, enhancing open space and connectivity, providing a live/work/play environment, etc.
7. The proposed North Station Project Master Plan has a good balance of residential and retail that will support the primary office use, which is the overarching intent of the OMU zone.
8. The North Station Project Master Plan proposes a nuanced continuum of development intensity with lower intensity development to the west, higher intensity development in the middle and along major roads, and commercial along the freeway and arterial roads, such as Shepard Lane, Burke Lane, and 1100 West. The continuum of development intensity provides a buffer between existing residential neighborhoods to the west, and places the highest intensity development near the future Shepard Lane interchange and I-15 to the east.
9. The fine-grained mixture of uses proposed in the North Station Project Master Plan creates an office park that is unique to the State of Utah and will create a vibrant employment base for Davis County that fosters a live/work/play environment.
10. The proposed North Station Project Master Plan will help to diversify and balance the City's tax structure through expanding its commercial property tax base, instead of relying too heavily on residential property and commercial sales tax.
11. The proposed North Station Project Master Plan does not grant vesting to any property owners within the project area; rather, it is a guiding document that will inform the development of the mixed-use employment district into the future.

## OTHER

**Item #5. Miscellaneous: a) David Tyson / EMA Architects (Public Hearing) – Applicant is requesting special exception approval for a drive-thru as part of a Mountain America Credit Union on 1.14 acres of property located at the NW intersection of Cabela’s Drive and Station Parkway in a GMU (General Mixed Use) zone. (M-2-17)**

**David Petersen** said this item was previously tabled. Staff and the Commission felt it was important that the applicant make sure they could meet street frontage and build-to requirements prior to consideration of the application. **David Petersen** said the applicant has amended the curb cuts and moved the building, so it now meets the Ordinance requirements. He said the Planning Commission was ready to adopt the screening, but with the amended curb cuts, the screening has been changed.

**Connie Deianni** asked if the curb cut will now allow traffic to exit onto Station Parkway. **David Petersen** said yes, it will be a one-way exit that will empty onto Station Parkway. He said there are lots of examples of similar exits in the area; this is something that is not uncommon.

**Alex Leeman** asked if Ordinance requirements are preventing the applicant from doing the previously proposed “circle” plan for the drive-thru traffic. **David Petersen** said yes, the applicant was 3’ away from meeting the build-to line requirements. He said drive-up windows may have a limited life. He said having the building positioned in the corner won’t inhibit future development of the property when drive-up windows become a thing of the past.

**Connie Deianni** asked what will prevent drivers pulling into the one-way drive-thru exit from Station Parkway. **David Petersen** provided the examples of the one-way drive-thru on the bank near Chuck-o-Rama and Costco in Bountiful, as well as the bank on Main St. in Bountiful. **Connie Deianni** expressed concern that the traffic on Station Parkway can already be a problem. **David Petersen** said the one-way drive-thru works for the bank near Costco, and Station Parkway will never receive the same amount of traffic that 500 W./Hwy-89 receives in Bountiful.

**David Petersen** said he reminded the Commission that what is being considered is the approval of drive-up windows. He said the way the Ordinance is written, the site plan is approved by staff except by appeal. **Alex Leeman** acknowledged that; however, he said he does like the grassy knoll on the site plan.

**Heather Barnum** pointed out that condition #1 discusses screening on the previous plan where a circle was included for the drive-up windows. **Alex Leeman** said condition #1 would have to be changed because a wall cannot go directly in front the drive-thru if the lanes empty onto Station Parkway. **David Petersen** said there was not time to update the plan for the packet. **Alex Leeman** suggested striking the condition. The commissioners discussed what type of screen would be sufficient in lieu of a wall.

**David Tyson**, 770 E. 350 S., Clearfield, with EMA Architect, said the lanes from the drive-thru bottleneck before exiting onto Station Parkway. He said the ATM lane will be to the far left; the purpose of the bottleneck is to screen headlights from vehicles visiting the ATM after the other service lanes close. He said they are still working on elevations to meet the new site plan, but that the far right of the drive-thru lanes will also be screened. He said they are on board with the drive-thru lane exiting onto Station Parkway, and are still working closely with staff to help alleviate traffic concerns.

**Alex Leeman** said he is still not convinced all drive-thru lanes are needed; however, he said he does not run a credit union so he is not sure what is needed. He does think the site plan has been done very well.

***Motion:***

**Bret Gallacher** made a motion that the Planning Commission approve the special exception, subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The applicant shall screen the drive-thru with sufficient plantings and a screen wall between it and the sidewalk, with exception to the exit onto Station Parkway;
2. The building shall have an entrance located off Station Parkway, as shown in the site plan dated 6-7-2017.

**Alex Leeman** seconded the motion, which was unanimously approved.

**Findings for Approval:**

1. The SPARC reviewed the site plan and had no concerns with considering the drive-thru as a *porte cochere*, and by extension, as a portion of the building frontage. When considered in this way, the building does have enough frontage to comply with the Zoning Ordinance.
2. The most recent site plan submitted by the applicant depicts an entrance off Station Parkway, which beings that portion of their plan in conformity with Chapter 18.
3. A drive-thru is an essential part of any modern day financial institution, and in order for Mountain America Credit Union to realize its full potential, and service its customers, a drive-thru is necessary.
4. By approving the zone text amendment allowing for drive-up windows in the GMU zone through special exception review, the City was implicitly allowing this use, similar to a conditional use.
5. The current landscape plan does exhibit screening with plantings and a small fence.
6. The applicant has met with staff and revised their site plan to not only conform to the Zoning Ordinance, but to make future in-fill development more efficient.

**ADJOURNMENT**

***Motion:***

At 8:34 p.m., **Connie Deianni** made a motion to adjourn the meeting, which was unanimously approved.

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**Heather Barnum**  
Chair, Farmington City Planning Commission